Supreme Court, U.S.
FILED
FEB 18 1988
JOSEPH F. SPANIOL, JR.

No. 87-1008

In the Supreme Court of the United States

October Term, 1987

INEZ B. HAYES,

Petitioner,

vs.

ORLIN ANSON, MARTHA C. ANSON; ANSON, DEPENBROCK & WILSON, "LAWYERS," P.C., an Oregon professional corporation,

Respondents.

ON PETITION FOR A WRIT OF CERTIORARI TO THE UNITED STATES COURT OF APPEALS FOR THE NINTH CIRCUIT

PETITIONER'S SUPPLEMENTAL BRIEF TO PETITION FOR WRIT OF CERTIORARI

JANICE M. HAYES, ESQ.
3391 S. El Camino Road
Las Vegas, Nevada 89102
Telephone: (702) 871-5135
Attorney for Petitioner

February 12, 1988
Conference:
February 19, 1988

PARTIES

The parties before the court of appeals below are: Inez B. Hayes, Petitioner herein; and Orlin Anson, Martha C. Anson, the law firm of Anson, Depenbrock & Wilson, "Lawyers" P.C.[1], an Oregon professional corporation.[1]

Mainline Metal Works, an Oregon corporation filed a Chapter 11 proceeding in bankruptcy prior to filing of the Complaint and did not appear in the lower courts or in this court. Its counsel is Albert Depenbrock, a respondent herein. Mainline converted to a Chapter 7 proceeding during the pendency of this action. Inez Hayes is not a Mainline creditor. See App. 13 - 14.

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1 Inez Hayes named the referenced law firm as a defendant, but did not name partners of the firm individually, as Depenbrock and Wilson represented to the Oregon State Bar that they had no involvement is the subject matter of this litigation. Hayes reserved the right to join them as defendants.

The law firm consisting of Orlin Anson, Albert Depenbrock and N. Thomas Wilson was dissolved in July, 1987. Mr. Wilson died in 1987. Orlin Anson was disbarred by the Oregon Supreme Court for conduct the subject of Hayes's claims, effective January 29, 1987. See App. 10, 11 and 12. Martha Anson is not an attorney and was never a member of the firm. Depenbrock formed a new professional corporation, Depenbrock & Gangle, P.C.

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No. 87-1008

In the Supreme Court of the United States

October Term, 1987

INEZ B. HAYES, PETITIONER

vs.

ORLIN ANSON, et al., RESPONDENTS

PETITIONER'S SUPPLEMENTAL BRIEF

The petitioner, Inez B. Hayes, pursuant to Supreme Court Rule 22.6, files her Supplemental Brief to the Petition for Writ of Certiorari which was timely docketed in this court on December 12, 1987.

Supreme Court Rule 22.6 provides that any party may file a supplemental brief at any time while a petition for certiorari is pending. Petitioner did not learn of the misconduct which necessitates the filing of this brief until February 11, 1988.

The petition for certiorari is scheduled for conference on February 19, 1988.

TABLE OF AUTHORITIES

STATUTES

28 U.S.C. §1631

SUPREME COURT RULES

Rule 22.6

Petitioner shows the court that there are intervening matters which bear directly on the questions presented, page 3 herein, and which would have a substantial and controlling effect on the decision of the court of appeals and of this Honorable Court.

Petitioner also shows the court that the petition was timely, App. 19 and 20, that an Affidavit of mailing to the clerk was enclosed, App. 21 and 22; she complied with the clerk's request for a copy of an order and that there are no other deficiencies, App. 15 - 18.

Petitioner demonstrates hereafter that Donald Carter, Esq. made a false and material misrepresentation that he represents Martha Anson, who is not an attorney and not eligible for representation by the Oregon State Bar's Professional Liability Fund, App. 1 and 2, under any theory, App. 5 - 8, and that he willfully failed to note that the respondent law firm has been dissolved, see PARTIES, and that Albert Depenbrock, Esq. will be a party.

QUESTIONS PRESENTED IN PETITION FOR A WRIT OF CERTIORARI

The petition for a writ of certiorari presented the following questions:

1. Whether the district court erred in not, sua sponte, raising the issue of transfer to a court in which the action could have been brought, pursuant to the mandate of 28 §1631, and whether the court of appeals has decided the issue of transfer and personal jurisdiction in a way in conflict with decisions of this court and of other courts of appeals?

2. Whether the lower courts erred in declining to exercise personal jurisdiction in light of Nevada decision that jurisdiction can be based on a plaintiff's illness or physical condition, recent rulings of this court, waiver of venue by defendant Martha Anson, and disbarment of defendant Orlin Anson based solely on petitioner's complaint, which demonstrates merits of her claims?

INTERVENING MATTERS NOT AVAILABLE AT TIME OF FILING THE PETITION

I.

As set forth, supra, Donald Carter, Esq. purported counsel for all respondents has misrepresented to this court that he represents Martha Anson, whereas he can not represent her and she, therefore, did not appear in the district court or court of appeals.

Mr. Carter has also failed to advise the court that the respondent law firm has been dissolved due to the death of N. Thomas Wilson in 1987 and the disbarment of Orlin Anson, of which this court was notified more than a year ago, App. 9, letter to counsel Janice Hayes from Oregon Supreme Court, App. 10, memorandum showing that disbarment order was effective January 29, 1987 and App. 11, showing that notice was sent to the Clerk of this court on February 4, 1987.

Albert Depenbrock has formed a new professional corporation, Depenbrock & Gangle.

In his Verified Petition For Permission To Practice In this Case Only, filed in the

district court, Mr. Donald W. McEwen of the same law firm as Mr. Carter, App. 1, stated that the firm was retained "by the insurance company for the defendant lawyers," App. 2.

Martha Anson is not a lawyer and was not a member of the now dissolved firm of "Anson, Depenbrock & Wilson, "Lawyers," P.C." which Mr. Carter represents.

The insurance company, the Professional Liability Fund is a part of the Oregon State Bar, App. 5, is not under the control of the insurance commissioner, and insures only lawyers in private practice in Oregon, App. 5, App. 6, IV, "Coverage," excludes claims against any business enterprise which is owned by an attorney or which he or she is a partner, App. 7, and makes mandatory assessments against every attorney engaged in private practice, App. 8. Non-payment can result in suspension of an attorney, App. 10.

It is abundantly clear that Mr. Carter can not represent a non-attorney under any

circumstances and that his statement is a deliberate fraud upon this court.

Martha Anson was sued on a theory that she, as Anson's wife, particpated in spending the proceeds of Inez Hayes's Cashier's Check which was converted by Orlin Anson.

Mr. Carter also implied in the court of appeals that his firm represented Mainline Metal Works, Inc., whereas said corporation of which Orlin Anson and Martha Anson were sole owners and Martha President was and is represented by Albert Depenbrock, a respondent herein as a partner and shareholder of Anson's now-dissolved law firm. See parties.

Mainline did not appear in any court. Hayes filed the Complaint without knowledge that Mainline had filed a Chapter 7 proceeding, which was later converted to a Chapter 11 proceeding. Inez Hayes is not a Mainline creditor and she has so advised the Oregon bankruptcy court, App. App. 13 and 14, and Albert Depenbrock, Esq., the debtor's attorney.

Hayes did not receive a copy of respondents' waiver and appearance until February 11, 1988, notwithstanding several requests to opposing counsel and this court, App. 12, letter from Chief Deputy Francis Lorson.

The crux of this case and petition rests on the fact that the district court erred in not raising the issue of transfer and that the court of appeals erred in apparently believing that Martha Anson was represented by Mr. Carter and thus had joined in the motion to dismiss.

The district court did not refuse to transfer the case. Petitioner erred by so stating in the "Questions Presented" portion of the petition.

Thus, two lower courts have not ruled against petitioner.

It would be manifestly unfair to Hayes if respondents should profit from their own deception. The Professional Liability Fund is representing Orlin Anson under a reservation of rights.

Mr. Carter has advised Petitioner that it will not pay any judgment entered against Orlin Anson, as the Fund excludes coverage for any claim based on or arising out of any :intentional, dishonest, fraudulent, criminal, malicious or knowingly wrongful act, errors or ommissions committed by or at the direction of the Named Party," App. 6, X(1).

Therefore, even if petitioner prevails, she would have an empty judgment unless this action is remanded and she is allowed to amend her Complaint to name Albert Depenbrock as a defendant.

Petitioner claims against Depenbrock are for negligence and malpractice. Petitioner especially reserved the right in her complaint to join Depebrock and Wilson as individual defendants if it were later shown that he knew of Anson's activities. She did not name him as a defendant because he represented to the Oregon State Bar that he had no knowledge of Orlin Anson's misconduct.

The law firm's business records later

showed that Depenbrock had worked on Inez Hayes's account, that he acquiesced in a decision regarding business matters and that the bank account in which Anson placed the converted check bore the address of the law firm. Depenbrock undoubtedly knew of Anson's financial problems and of lawsuits against him for payment of debts or repossession and for state and federal tax liens against his business.

It is now too late to file an action for negligence against Depenbrock.

Not transferring this action or not trying it in Nevada would be very disadvantageous to petitioner and would deprive her of any opportunity to recover her just debt.

The Oregon Client Security Fund will pay for loss due to a lawyer's miscondcut, but the client must (1) obtain a civil judgment or (2) a criminal conviction.

Respondents' attorney admits that "All or some" of petitioners's claims are time-barred in Oregon in a letter, but he said

at oral argument before the court of appeals that they were not. Claims for fraud, deceit and conversion would fall under the malpractice statutes, petitioner avers.

At present, if a judgment is entered against Orlin Ansonfor misconduct, the Client Security Fund may or not pay, as such payment is a "matter of grace," and it could allege the loss was due in part to his partner's negligence and that Hayes should have recovered from Depenbrock. The Professional Fund would not pay at all.

Orlin Anson has reportedly left the State of Oregon and thus would not be available for service of a Summons, which must be made within 30 days of filing a complaint.

In addition, Oregon law requires that an out-of-state litigant post a bond for all costs and that the Oregon attorney must pay if the client does not, which fact would severely limit Hayes's opportunity to retain Oregon counsel.

Respondents should not be allowed to

profit from their attorney's misconduct.

Mr. Carter is well aware of the dissolution of the respondent law firm, as he has omitted the term "Lawyers," which proceeded "P.C.," from the firm's name is his Appearance of Counsel form, Appendix 3 and waiver of right to file a reply brief, App. 4.

The appellation, "Lawyers" was used exclusively by Anson's firm, and the partners had to obtain special permission from the Oregon Secretary of State and Department of Commerce to use this term.

CONCLUSION

Petitioner respectfully suggests that the Court should grant her petition for a writ of certiorari and remand this action with instructions that petitioner be permitted to amend her Complaint to reflect

Albert Depenbrock, Esq. is an individ

defendant therein.

Respectfully submitted,

JANICE M. HAYES, ESQ.
3391 S. El Camino Road
Las Vegas, Nevada 89102
Telephone: (702) 871-5135
Attorney for Petitioner
INEZ B. HAYES

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Janice Hayes's letter to the Clerk of United States Supreme Court re staff's request for copy of September 2, 1987 Order of the court of appeals and requesting that the clerk advise her if there were any other deficiencies. Hayes stated that petition copies were timely mailed with an Affidavit of Mailing To Clerk enclosed. 15

Janice Hayes's letter of February 8, 1988 to Alfred Wong, requesting copy of "Addressee's Receipt" form on Express Mail and information regarding receipt of notice of Anson's disbarment. 19

"Finance Copy" from Postal Service showing that petition was mailed on December 12, 1988, the due date 20

Counsel's Affidavit Of Mailing Petition For Writ of Certiorari To The Clerk Of Court, marked "Received" on December 16, 1988. 21

RECEIVED
AND FILED
Mar 5 '85
CAROL C. FITZGERALD
CLERK

IN THE UNITED STATES DISTRICT COURT

FOR THE DISTRICT OF NEVADA

INEX B. HAYES, Plaintiff, vs. ORLIN R. ANSON: MARTHA C. ANSON, DEPENBROCK & WILSON, "Lawyers," P.C., an Oregon professional corporation; MAINLINE METAL WORKS, INC., an Oregon corporation; and ROE CORPORATIONS I through V and DOES L through V, inclusive, Defendants	Case No. CV-LV-85-036 HDM VERIFIED PETITION FOR PERMISSION TO PRACTICE IN THIS CASE ONLY

Donald W. McEWEN, Petitioner, respectfully represents to the Court:

That he resides at 2700 S.W. Boundary St., Portland, Multnomah County, Oregon, 97201, (503-244-5139).

That he is an attorney at law and a member of the law firm of McEwen, Gisvold, Rankin & Stewart with offices at 1408 Standard Plaza, 1100 S.W. Sixth Avenue, Portland, Oregon, 97204, Telephone: 503-226-7321.

That he has been retained personally or as a member of the above law firm by the insurance company for the defendant lawyers to provide legal representation in connection with the above-entitled case now pending before this Court:

That, since September, 1949, he has been and presently is a member of good standing of the bar of the highest Court of the State of Oregon where he regularly practices law.

.....

.....

That Petitioner respectfully prays that he be admitted to practice before this Court FOR THE PURPOSES OF THIS CASE ONLY.

DONALD W. McEwen

Petitioner Donald W. McEwen

APP. 3

APPEARANCE FORM

No. 87-1008

INEZ B. HAYES vs. ORLIN ANSON, et al.
Petitioner (Respondent)

The Clerk will enter my appearance as counsel of Record for Orlin Anson, Martha C. Anson

Anson, Depenbrock & Wilson, P.C.
(Please list names of all parties represented)

who IN THIS COURT is . . . 1 Respondents(s)

I certify that I am a member of the Bar of the Supreme Court of the United States:

Signature DON G. CARTER

(Type or print) Name Don G. Carter

X Mr.

Firm McEwen, Gisvold, Rankin & Stewart

Address 1408 Standard Plaza

City & State Portland Oregon Zip 97204

.....

.....

.....

IT IS IMPORTANT THAT ALL REQUESTED INFORMATION BE PROVIDED.

McEwen, Gisvold, Rankin & Stewart
ATTORNEYS AT LAW
1408 STANDARD PLAZA
1100 S.W. Sixth
Portland, Oregon 97204

January 8, 1988

Joseph.F. Spaniol, Jr., Clerk
Supreme Court of the United States
Office of the Clerk
Washington, D.C. 20543

Re: Inez B. Hayes v. Orlin Anson, et al.
Case No. 87-1008

Dear Mr. Spaniol:

Enclosed for filing herewith is an appearance form reflecting my appearance as counsel of record for Orlin Anson, Martha C. Anson, and Anson, Depenbrock & Wilson, P.C.

I do not intend to file a response to the Petition for a Writ of Certiorari. Please indicate the date of receipt of the appearance on the enclosed, self-addressed postcard.

Thank you for your cooperation.

Very truly yours,

McEWEN, GISVOLD, RANKIN & STEWART

Don G. Carter

DGC:jg
Enclosures
cc: William Kwitman
Al Depenbrock

App. 5

OREGON STATE BAR

PROFESSIONAL LIABILITY FUND PLAN

(Effective 1/1/85)

1. COVERAGE PLAN DEFINITIONS

When used in this Plan, the following terms have the meanings set forth below:

(1) "Fund" means the Oregon State Bar Professional Liability Fund and any employee, committee, representative or designated counsel.

.....

(6)"Private Practice of Law" means the performance of those acts normally performed by lawyers in the private practice of law in Oregon, and whose principal office is in the State of Oregon. .....

.....

III. COVERED PARTY

Each of the following is a Covered Party:

2. Any person, firm or corporation liable for the conduct of the Named Party, but only to the extent such liability arises from Named Party's negligent act, negligent error,

or negligent ommission.

1. The Named Party.

IV. COVERAGE

The Fund shall pay on behalf of the Covered Party all sums which the Covered Party shall become legally obligated to pay . . . and arising out of the conduct of the Named Party as a lawyer if the Named Party was in the private practice of law in Oregon with his or her principal office in the State of Oregon at the time of the conduct . . . . . .

X. THE EXCLUSIONS

Coverage under this Plan does not apply:

1. to any claim based upon or arising out of any intentional, dishonest, fraudulent, criminal, malicious or knowingly wrongful acts, errors or ommissions commited by or at the direction of the Named Party[1] . . However, notwithstanding the foregoing, the Fund may at its sole discretion provide a defense . . without any liability on the part

of the Fund to pay such sums as the Covered Party shall become legally obligated to pay as damages.

2. to any claim made against any business enterprise not engaged in the private practice of law, or by any busines enterprise whether or not engaged in the practice of law, which is owned by the Named Party or in which the Named Party is a partner . . . .

. . . . . .

5. to any

Party's activities and/or capacity as:

(a) an officer, director, partner,

. . . of a business enterprise . . unless such claim arise out of professional activities of the Named Party in a lawyer-client capacity;

. . . . . .

XVII. ACTION AGAINST THE FUND

No action shall lie against thd Fund unless as a condition precedent . . . . until the amount of the Covered Party's obligation shall have been fully and finally determined

either by judgment against the Covered Party after actual trial or by written agreement of the Covered Party, claimant and the Fund.

. . . . . .

XXI. ASSESSMENTS

ANNUAL ASSESSMENT

Each Named Party is required to pay the basic annual assessment and any additional assessments . . . .

ADDITIONAL ASSESSMENTS

I. SUPPLEMENTAL ASSESSMENTS. If the . . . The Fund is authorized to and shall assess each Named Party his pro rate share of the total assessed sum . . . Notice in wri- of any supplemental assessment shall be given to the Board of Governors of the Oregon State Bar 15 days in advance. . . .

XXII. TERMINATION

This plan may be terminated only by action of the Board of Governors of the Oregon State Bar.

. . . . . .

SUPREME COURT COURT OF APPEALS

R. William Linder, Jr.
State Court Administrator 503-370-6005

SUPREME COURT BUILDING
SALEM, OREGON 97310

December 16, 1987

Janice M. Hayes
Attorney at Law
3391 S. El Camino Road
Las Vegas, Nevada 89102

Re: In re Complaint as to the conduct of Orlin R. Anson

Dear Ms. Hayes,

Your letter of December 2, 1987, regarding the above-referenced case has been referred to me.

Mr. Anson was disbarred effective January 29, 1987. I am enclosing a copy of the notice which was sent to the judicial conference, as well as to the Office of the Clerk, U.S. Supreme Court, among others, notifying them of the action.

Sincerely,

Flora Whitlock
Deputy

SUPREME COURT COURT OF APPEALS

SUPREME COURT BUILDING
SALEM, OREGON 97310

February 4, 1987

M E M O R A N D U M

TO: Members of the Judicial Conference

FROM: Flora Whitlock
Office of Legal Counsel to
Supreme Court

RE; Attorney Changes.

CORRECTION NOTICE:

.....

.....

REINSTATEMENT

[Name and Bar number delted] PLF dues now paid

DISBARMENT:

ANSON, Orlin R. (Bar No. 60004)

Effective: January 29, 1987

See other side for list of those receiving copies.

---

c: Celene Greene, OSB

Bernard Jolles, President, OSB

Susan Isaacs, OSB

Oregon Professional Liability Fund[1]

Office of the Clerk, U.S. Supreme Court [2]

Court Clerk, U.S. District Court (Portland)

U.S. Court of Appeals (San Francisco)

National Conference of Bar Examiners

American Bar Association

President, Municipal Judges Assn.

President, Justice of the Peace Assn.

Oregon County Judges

---

[1] and [2]. Emphasis supplied.

REC. 2-11-88

OFFICE OF THE CLERK
SUPREME COURT OF THE UNITED STATES
WASHINGTON, D.C. 20543

February 3, 1988

Ms. Janice M. Hayes,
3391 S. El Camino Road
Las Vegas, NV 89102

Re: Inez B. Hayes v. Orlin Anson, Martha C. Anson and Anson, Depenbrock & Wilson, No. 87-1008

Dear Ms. Hayes,

In response to your numerous letters, enclosed please find a copy of the waiver filed in this case on January 13, 1988. The court will consider this petition at its February 19, 1988 Conference, the results of which will be announced the following Monday.

Enclosed please find a copy of the docket in this matter.

Very truly yours,

JOSEPH F. SPANIOL, JR., Clerk
By

Francis J. Lorson
Chief Deputy Clerk

---

[1]Counsel had written three letters, which were occasioned by telephone calls from the clerk.

JANICE M. HAYES
ATTORNEY AT LAW
3391 S. El CAMINO ROAD
LAS VEGAS, NEVADA 89102

CERTIFIED MAIL
672262333
RETURN
RECEIPT
REQUESTED

January 28, 1988

Clerk of Court
U.S. Bankruptcy Court for
the District of Oregon
1001 S.W. 5th St., 9th Flr.
Portland, Oregon 97204

Re: Case No. 384-oo250-P7, In re
Mainline Metal Works, Inc. Debtor

Inez B. Hayes' renewed request that her name be deleted and removed from the list of creditors as:

(1) she was never a creditor.

(2) she never filed a valid claim

(3) she has specifically, in writing withdrawn any proof of claim that might have been filed on her behalf.

(4) she has requested several times in papers filed in this court and in letters that her name be removed from any list or mailing matrix.

/ / /

she has advised the trustee in writing and telephone calls that she has no claim against the debtor corporation.

Dear Sir:

As set forth above, Inez B. Hayes is not a creditor in the above-referenced action and has never filed a valid proof of claim.

. . . . . .

There is no debt owing to Inez Hayes from the debtor. Inez Hayes purchased materials from Mainline, such as a security door and window bars.

Mainline apparently listed Inez Hayes as a creditor when it converted its Chapter 11 proceeding to a Chapter 7 proceeding, as notices from this court concerned only the Chapter 7 proceeding.

. . . . . .

I would greatly appreciate your deleting Inez Hayes's name from your mailing matrix, list of creditors and other papers.

Thank you for your assistance in this matter.

Very truly yours,

JANICE M. HAYES

JANICE M. HAYES

ATTORNEY AT LAW
3391 S. El CAMINO ROAD
LAS VEGAS, NEVADA 89102

(702) 871-5135

FEDERAL EXPRESS AIRBILL 1310603640

December 22, 1987

RECEIVED
DEC 23 1987
Office of the Clerk
SUPREME COURT, U.S.

The Honorable Joseph Spaniol
Clerk of the Court
supreme Court of the United States
1 First St.
Washington, D.C. 20543

Re: Case No. 87-____, Inez B. Hayes v. Orlin Anson, et al.
Petition for writ of certiorari
Your staff's request for copy of Order of Ninth Circuit court of Appeals, dated September 2, 1987, denying untimely petition for rehearing.

Dear Mr. Spaniol,

On Friday, December 18, 1987 and again today, December 22, 1987, a member of your staff called and requested that I send a copy of the Order of the United States Court of Appeals for the Ninth Circuit, dated September 2, 1987, denying rehearing of its Memorandum of July

15, 1987 affirming the dismissal of the above-referenced action for want of personal jurisdiction.

. . . . . .

The problem is that although I stated in an Application For An Extension Of Time To File Petition For Writ Of Certiorari, enclosed, and on pages three and four of the petition and in the Index to the Appendix that the Order denying rehearing was dated September 2, 1987, the Appendix page unfortunately had the date "July 15, 1987."

I can not locate a copy of the September 2, 1987 order but will obtain one from opposing counsel.

I fail to see the necessity for the request, however, as all documents make it clear that the time for filing a petition for certiorari was calculated from the July 15, 1987 Order, which would make the due date October 13, 1987.

In the enclosed Application for the first extension of time, I explained that the petition for rehearing was untimely received, thus causing the time to run from the earlier July 15, 1987 order.

The Honorable Sandra Day O'Connor took October 13, 1987 as the due date also and granted an extension of time to November 12, 1987 to file the petition.

Subsequently, Justice O'Connor granted a second extension of time until December 12, 1987. See pages 3 and 4 of the petition, which are enclosed for your convenience.

. . .

. . . I mailed the petition by Express Mail B 63998255 by depositing it in an Express Mail mailbox with sufficient postage for forty copies of the petition.

I enclosed my Affidavit of Mailing Petition For Certiorari to the Clerk, and certificate of service on opposing counsel, a $200 money order made out to the clerk of court and a letter to you.

I hope that the incorrectly typed date on the order denying rehearing, p. 4a of Appendix, did not delay distribution of the petition to the court, inasmuch as it is clear that the true date was September 2, 1987 and equally clear that the date of denial of rehearing is irrelevant in that the 90 day time period ran from the July 15, 1987 order.

. . . .

I asked the clerk who called me whether anything else was wrong with the petition for certiorari and was told that it was all right.

Please advise if there are any deficiencies in the petition and if you did not receive the items mentioned in mention in (this letter). In addition, I hand-signed a number of the copies.

I have not received appearance of counsel forms to be distributed to opposing counsel.

Thank you for your assistance in this matter.

Very truly yours,

JANICE M. HAYES

[I] Counsel has mailed copy of court of Appeals' order of September 2, 1987 to Clerk of United States Supreme Court.

February 8, 1988

The Honorable Alfred Wong
United States Supreme Court
Washington, D.C. 20543

Dear Mr. Wong,

Please find enclosed copies of my letter of this date to the Clerk of the Court and enclosures.

I request a copy of the "Addressee's Receipt" form from your office on Express Mail B 6399825, and information regarding when the Order disbarring Orlin Anson was received by the court or your office.

Very truly yours,

JANICE M. HAYES

POST OFFICE TO ADDRESSEE EXPRESS MAIL
NEXT DAY SERVICE

B 63998255

ORIGIN DATE IN:

12-12-88

FROM:

JANICE M. HAYES, ESQ.
3391 S. El Camino Road
Las Vegas, Nevada 89102

TO:

The Honorable Joseph Spaniol
Clerk of the Court
Supreme Court of the
United States
1 First St.
Washington, D.C. 20543

FINANCE COPY[1]

---

[1] The Postal Service can not locate the "Customer Receipt" form nor did the Clerk of this court nor Marshal Alfred Wong supply the ADDRESSEE'S COPY." The FINANCE COPY was sent to counsel on February 11, 1988.

CASE NO. 87-1008

IN THE SUPREME COURT OF THE UNITED STATES
October Term, 1987

INEZ B. HAYES, PETITIONER

vs.

ORLIN ANSON, MARTHA C. ANSON, ANSON DEPENBROCK & WILSON, "LAWYERS," P.C. an Oregon professional corporation,

RESPONDENTS.

COUNSEL'S AFFIDAVIT OF MAILING PETITION FOR WRIT OF CERTIORARI AND COPIES TO THE CLERK OF COURT

RECEIVED
DEC 16 1987
OFFICE OF THE CLERK
SUPREME Court, U.S.

STATE OF NEVADA)
) ss:
COUNTY OF CLARK)

I, JANICE M. HAYES, being first duly sworn on oath, depose and say that:

1. I am a member of the bar of court and I represent the petitioner, INEZ B. HAYES.

2. That I mailed the original[1] and forty

copies of a Petition For Writ Of Certiorari in this matter to the clerk of this court by depositing the same in a sealed envelope, postage prepaid thereon, in the United States Mail at Las Vegas, Nevada on the 12th day of December, 1987, addressed to the Clerk as follows:

The Honorable Joseph Spaniol
Clerk of the Court
Supreme Court of the
United States
1 First St.
Washington, D.C. 20543

JANICE M. HAYES
JANICE M. HAYES, ESQ.
3391 S. El Camino Road
Las Vegas, Nevada 89102

Subscribed and Sworn to before me, a Notary Public for said county and State, this 12th day of December, 1987.

Janine Adamick
NOTARY PUBLIC

NOTARY PUBLIC
STATE OF NEVADA
County of Clark
JANINE M. ADAMICK
My Appointment Expires
July 15, 1990

I Original was not filed.